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09/407,538	09/28/1999	RICHARD ALAN DIEDRICH	RO999114	2884

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[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

2176

DATE MAILED: 05/27/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/407,538	DIEDRICH ET AL.
	Examiner	Art Unit
	Almari Romero	2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 05 March 2003.
- 2a) This action is **FINAL**.                  2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-37 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

1. This action is responsive to communications: Amendment filed on 3/05/03.
2. The objection to the specification has been withdrawn as necessitated by amendment.
3. The rejection of claims 19-34 under 35 U.S.C. 102(b) as being anticipated by Nielsen as been withdrawn in light of newly found art.
4. The rejection of claims 1-18 under 35 U.S.C. 103(a) as being unpatentable over Nielsen as been withdrawn in light of newly found art.
5. Claims 35-37 are newly added claims. Claims 1-37 are pending in the case. Claims 1, 19, 27, and 35 are independent claims.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. **Claims 1-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Kanno et al. (USPN 6,526,424 B2 – filed on 03/1998).**

**Regarding independent claim 1,** Kanno discloses:

A method of verifying a bookmark, comprising the steps:

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(a) storing, as a bookmark, first network information address having information associated therewith in at least a first data structure as a bookmark (on col. 2, lines 36-41: teaches registering the URL of a desired page as one element of the bookmark data); and

(b) automatically searching, at a predefined frequency, for the information located at the first network information address to determine whether the first network information address is retrievable; and wherein if the first network information address is retrievable (on col. 1, line 66-col. 6, line 13 and col. 19, line 65 – col. 20, line 25: teaches automatic traveling through pages and automatically accessing a page of an address designated by address information of a page included in each record of bookmark information; determining by automatic traveling of addresses URLs have been changed);

determining whether the information has been moved to a second network information address different from the first network information address (on col. 19, line 65 – col. 20, line 25 and col. 21, lines 16-65: teaches by automatic traveling can determine if URLs have been changed or updated by locating within an HTML file a predetermined hidden tag at the old address (URL). The hidden tag can represent the new URL to relocate or access the updated page).

**Regarding dependent claims 2 and 28,** Kanno discloses:

wherein the first network information address is a Uniform Resource Locator (URL) (on col. 19, line 65 – col. 20, line 25: teaches addresses are URLs).

**Regarding dependent claims 3, 22, and 29,** Kanno discloses:

wherein the information located at the first network information address is a Hypertext Markup Language (HTML) document (on col. 19, line 65 – col. 20, line 25: teaches web site of pages in HTML).

**Regarding dependent claims 4 and 20,** Kanno discloses:

a user-defined frequency (on col. 5, line 66- col. 6, line 13: teaches address information of a page included in each record of bookmark information stored in storing unit at a predetermined time information and obtaining change information).

**Regarding dependent claims 5, 8, and 16,** Kanno discloses:

wherein if the information has been moved or has not been moved to the second network information address, replacing the first network information address in the first data structure with the second network information address (on col. 19, line 65 – col. 20, line 25 and col. 21, lines 16-65: teaches by automatic traveling can determine if URLs have been changed or updated by locating within an HTML file a predetermined hidden tag at the old address (URL). The hidden tag can represent the new URL to relocate or access the updated page, in other words, the old URL is replaced with a new URL).

**Regarding dependent claims 6 and 10,** Kanno discloses:

wherein determining whether the information has been moved to the second network information address comprises scanning source code of the information for embedded hypertext links and detecting only a single hypertext link (on col. 19, line 25 – col. 20, line 25: teaches automatic traveling unit searches for hidden tags of an HTML file to retrieve new URL).

**Regarding dependent claims 7, 9, 18, 26, and 30,** Kanno discloses:

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determining whether the information has changed comprising comparing a stored first date to a second date returned by a server (on col. 19, line 65 – col. 20, line 25: teaches determining a change in data and time by comparing with bookmark information containing old data and time).

**Regarding dependent claims 11-12 and 14,** Kanno discloses:

scanning the information for one or more embedded network information addresses, wherein if any embedded network information addresses are found, storing each embedded network information address in a first data structure or storing each embedded network information address in a second data structure containing one or more second data fields which relate to the embedded network information addresses (on col. 19, line 65 – col. 20, line 25: teaches automatic traveling unit travels pages to determine if addresses thereof have been changed; a page cannot be found due to a change in address. When the automatic traveling unit receives the tag “relocate”, it accesses the address (URL) represented by “REURL” obtains title and URL to update the record of the bookmark data file).

**Regarding dependent claim 15,** Kanno discloses:

attempting to download the information located at first network information address, wherein a successful attempt indicates that the first network information address is retrievable and an unsuccessful attempt indicates that the first network information address is irretrievable (on col. 19, line 65 – col. 20, line 25: teaches determining if addresses (URLs) have been changed; a relevant page cannot be found due to a change of address).

**Regarding dependent claim 17,** Kanno discloses:

the first network information address is retrievable, determining whether the information has changed (on col. 19, line 65 – col. 20, line 25: teaches determining if addresses (URLs) have been changed).

**Regarding independent claim 19**, Kanno discloses:

A computer implemented automated method for maintaining bookmarks, comprising:

- (a) storing a bookmark network information address having information associated therewith in a data structure (on col. 2, lines 36-41: teaches registering the URL of a desired page as one element of the bookmark data);
- (b) scanning the information for one or more embedded network information addresses, wherein if any embedded network information addresses are found, storing the embedded network information addresses in the data structure addresses (on col. 1, line 66- col. 6, line 13 and col. 19, line 65 – col. 20, line 25: teaches automatic traveling through pages and automatically accessing a page of an address designated by address information of a page included in each record of bookmark information; determining by automatic traveling of addresses URLs have been changed); and
- (c) periodically determining whether the bookmark network information address has changed, wherein if the bookmark network information address has changed, determining whether a forwarding network information address is provided, and wherein if the bookmark network information address has not changed, determining whether the information has changed (on col. 19, line 65 – col. 20, line 25 and col. 21, lines 16-65: teaches by automatic traveling can determine if URLs have been changed or updated by locating within an HTML file a

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predetermined hidden tag at the old address (URL). The hidden tag can represent the new URL to relocate (forwarding address) or access the updated page).

**Regarding dependent claim 21**, Kanno discloses:

wherein periodically determining whether the bookmark network information address has changed comprises attempting to download the information (on col. 2, lines 1-15: teaches download of relevant data and on col. 19, line 65 – col. 20, line 25 and col. 21, lines 16-65: attempting to access a page).

**Regarding dependent claim 23**, Kanno discloses:

wherein periodically determining whether the bookmark network information address has changed comprises loading the bookmark network information address from the data structure and attempting to locate the information on a server, wherein a successful attempt indicates that the bookmark network information address has not changed and an unsuccessful attempt indicates that the bookmark network information address has changed (on col. 19, line 65 – col. 20, line 25: teaches automatic traveling unit travels pages to determine if addresses thereof have been changed; a page cannot be found due to a change in address. When the automatic traveling unit receives the tag “relocate”, it accesses the address (URL) represented by “REURL” obtains title and URL to update the record of the bookmark data file).

**Regarding dependent claim 24**, Kanno discloses:

that the bookmark network information address has changed, and if the forwarding network information address is provided, replacing the bookmark network information address in the data structure with the forwarding network information address; and if the forwarding network information address is not provided, replacing the bookmark network information

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address in the data structure with a path name associated with a temporary document containing the one or more embedded network information addresses (on col. 19, line 65 – col. 20, line 25 and col. 21, lines 16-65: teaches determine if URLs have been changed or updated by locating within an HTML file a predetermined hidden tag at the old address (URL). The hidden tag can represent the new URL to relocate or access the updated page, in other words, the new URL replaces the old URL).

**Regarding dependent claim 25**, Kanno discloses:

that the bookmark network information address has not changed, determining whether the information has changed (on col. 19, line 65 – col. 20, line 25: teaches determining if addresses (URLs) have been changed).

**Regarding independent claim 27**, Kanno discloses:

A signal bearing medium for storing a program that when executed by a computer performs a operation comprising:

(a) downloading a bookmark network information address having information associated therewith (on col. 5, line 66 – col. 6, line 13: teaches managing bookmark information and obtaining change information of a page);

(b) storing the bookmark network information address in a data structure (on col. 2, lines 36-41: teaches registering the URL of a desired page as one element of the bookmark data);

(c) scanning the information for one or more embedded network information addresses, wherein if any embedded network information addresses are found, storing the embedded network information addresses in the data structure; and (d) periodically determining whether the information is retrievable at the bookmark network information address (on col. 1, line 66- col.

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6, line 13 and col. 19, line 65 – col. 20, line 25: teaches automatic traveling through pages and automatically accessing a page of an address designated by address information of a page included in each record of bookmark information; determining by automatic traveling of addresses URLs have been changed), wherein:

- (i) if the information is not retrievable at the bookmark network information address, determining whether a forwarding network information address is provided, wherein if the forwarding network information address is provided, replacing the bookmark network information address in the data structure with the forwarding network information address, and wherein if a forwarding network information address is not provided, generating a backup document containing the embedded network information addresses stored in the data structure (on col. 19, line 65 – col. 20, line 25 and col. 21, lines 16-65: teaches automatic traveling unit travels pages to determine if addresses thereof have been changed; a page cannot be found due to a change in address. When the automatic traveling unit receives the tag “relocate”, it accesses the address (URL) represented by “REURL” obtains title and URL to update the record of the bookmark data file; an HTML file has a predetermined hidden tag representing the new URL to relocate or access the updated page, in other words, the new URL replaces the old URL);
- (ii) if the information is retrievable at the bookmark network information address, determining whether the information has changed, wherein if the information has changed, repeating (c) (on col. 19, line 65 – col. 20, line 25: teaches the URL has changed to a new URL).

**Regarding dependent claims 31-33,** Kanno discloses:

wherein the bookmark network information address identifies a server computer connected to a client computer, and wherein the program is located on the client computer herein

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the client computer; the server computer are the same computer system; the client computer and the server computer comprise different computer systems connected by a network (on col. 19, lines 7-31: teaches URL used to locate the WWW server which is in communication with the WWW browser).

**Regarding dependent claim 34**, Kanno discloses:

wherein the data structure is stored on the client computer (on col. 21, lines 16-65: teaches stored content or address of a page).

**Regarding independent claim 35**, Kanno discloses:

A computer implemented method of managing bookmarks, comprising:

(a) in response to a user request to bookmark a web page: storing a network address for the web page in a bookmark data structure; storing each hypertext link embedded in the web page in the bookmark data structure in a manner which associates the embedded hypertext links and the web page (on col. 2, lines 36-41 and col. 3, lines 1-12: teaches registering (adding) the URL of a desired page or performing “net surfing” as one element of the bookmark data); and associating a graphical bookmark object of a bookmark menu with the web page (on col. 10, lines 12-67: teaches bookmark display screen composed of a menu portion); and

(b) determining whether the web page has moved to a different network address; (c) if the web page has moved, determining whether an updated network address for the web page can be located; and (d) if the updated network address cannot be located (on col. 19, line 65 – col. 20, line 25 and col. 21, lines 16-65: teaches automatic traveling unit travels pages to determine if addresses thereof have been changed; a page cannot be found due to a change in address. When the automatic traveling unit receives the tag “relocate”, it accesses the address (URL) represented

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by "REURL" obtains title and URL to update the record of the bookmark data file; an HTML file has a predetermined hidden tag representing the new URL to relocate or access the updated page, in other words, the new URL replaces the old URL), associating the graphical bookmark object with the stored embedded hypertext links of the web page (on col. 22, lines 22-42: teaches an image or reduced image of a page used as a bookmark).

**Regarding dependent claim 36**, Kanno discloses:

wherein (b) is performed at a predefined frequency (on col. 5, line 66- col. 6, line 13: teaches address information of a page included in each record of bookmark information stored in storing unit at a predetermined time information and obtaining change information).

**Regarding dependent claim 37**, Kanno discloses:

displaying the stored embedded hypertext links of the web page upon a user selection of the graphical bookmark object (on col. 10, lines 12-67: teaches display page accessed and retrieved by selection of a registered bookmark image or icon).

#### *Response to Arguments*

8. Regarding Applicant's arguments filed on 3/05/03 are moot in view of the new ground(s) of rejection.

Regarding Applicant's remarks on pages 9-10:

Examiner agrees that Nielsen is not concerned with the problem of changing network addresses which have been bookmarked. Therefore, Nielsen has been withdrawn in light of newly found art. Kanno discloses an automatic traveling unit automatically travels pages

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corresponding to images that have been registered, updates the reduced images, titles, or URLs of the pages, and maintains the bookmarks as the latest information (see Abstract).

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

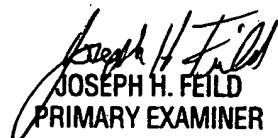
USPN 6,408,316 B1 – Himmel et al. – filed on 12/1998

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almari Romero whose telephone number is (703) 305-5945. The examiner can normally be reached on Mondays - Fridays (7:30am - 4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703) 308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

AR  
May 15, 2003

  
JOSEPH H. FEILD  
PRIMARY EXAMINER